

UNITED STATES DISTRICT COURT

Middle DISTRICT OF Tennessee

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Case Number: 15-mj-4020

MICHAEL CALLOWAY JR.,
a/k/a OSO

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 12, 2015 in Davidson County, in the Middle District of Tennessee defendant(s) did,

(Track Statutory Language of Offense)

having previously been convicted in any court of a crime punishable by imprisonment for a term exceeding one (1) year, did knowingly possess, in and affecting commerce, ammunition, to wit: eight (8) Hornady, .40 caliber Smith and Wesson shell casings.

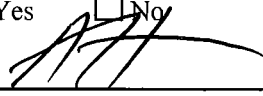
in violation of Title 18 United States Code, Section(s) 922(g)(1) and 924.

I further state that I am a(n) Special Agent, ATF and that this complaint is based on the following facts:
Official Title

See attached Statement in Support of Criminal Complaint incorporated herein.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No


Signature of Complainant

Stephanie Haera, Special Agent, ATF
Printed Name of Complainant

Sworn to before me and signed in my presence,

4/14/2015

Date

at

Nashville, Tennessee

City

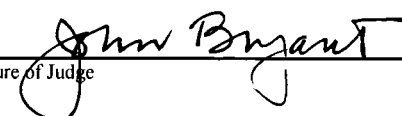
State

John S. Bryant

Name of Judge

U.S. Magistrate Judge

Title of Judge


Signature of Judge

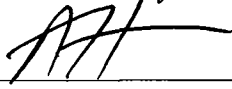
STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, Stephanie Haera, having been duly sworn upon oath, state as follows:

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") since July 2001. I am currently assigned to the Nashville Field Division, Nashville V Field Office.
2. This affidavit is submitted in support of a Criminal Complaint for the arrest of Michael CALLOWAY, Jr., a/k/a OSO for possession of ammunition after conviction of a felony offense, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.
3. The following information contained in this affidavit is based on my training and experience, my review of investigative reports, and information provided to me by other law enforcement officials and witnesses. Where conversations are related herein, they are related in substance and in part. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the arrest of Michael CALLOWAY, Jr.
4. On April 12, 2015 the Metro Nashville Police Department (MNPd) received calls regarding a shooting that occurred near the intersection of Lewis Street and Robertson Street in Nashville, Tennessee. The shooting occurred at approximately 4:04pm. One of the callers stated that the victim of the shooting was near the back porch of 142 Lafayette Street. When officers arrived, they located the victim, TP, who had been shot in the upper leg. TP was transported to Vanderbilt hospital to be treated for his injuries.
5. MNPd Detectives interviewed TP who provided the following information: TP and "OSO", a known nickname for CALLOWAY, had an altercation earlier that morning between 2:00am and 3:00am. At that time, TP was hanging out on the porch of 741 Lewis Street, the home of one of his friends, LH. A fight occurred between LH and CALLOWAY'S girlfriend in the parking lot of 741 Lewis Street. While the two girls were fighting, TP was hit in the head from behind by CALLOWAY'S friend, an unidentified black male with long dread locks. Once TP was on the ground, CALLOWAY and the other male kicked and stomped him several times. The fight lasted approximately 10 seconds.
6. Later that afternoon, TP went to a nearby store with LH and several women. As TP walked through the gate from Lewis Street into the housing projects near 741 Lewis Street, TP saw CALLOWAY walking towards him. CALLOWAY approached TP saying something like "So you are the guy who is looking for me." At which time CALLOWAY pointed a gun at TP and started shooting. TP turned and started to run and was struck in the leg. TP then ran to 142 Lafayette Street. CALLOWAY shot approximately five to eight times. TP described the firearm CALLOWAY had as a tan and black Glock pistol. TP was shown a picture of CALLOWAY. TP identified the person as "OSO" and that he was the same person he fought with and who later shot him. At the time of the shooting, three women were within a few feet of TP and were significantly endangered by CALLOWAY's effort to shoot and kill TP.

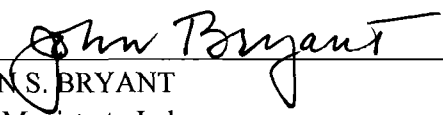
7. The Metropolitan Development and Housing Agency (MDHA) operates several video cameras in the Napier Place housing projects. Your affiant reviewed the video from the camera located at 737 Lewis Street at the time of the shooting. CALLOWAY can be seen walking down the sidewalk in the direction of 737 Lewis Street with a gun in his right hand at 4:04pm. CALLOWAY can then be seen raising his right hand and shooting down the sidewalk in the direction of 737 Lewis Street. TP cannot be seen within the view of the camera. Still images from the video are attached to the affidavit. Your affiant and a MNPd detective are familiar with CALLOWAY and have reviewed these images and identify CALLOWAY as the person with the firearm. CALLOWAY left the scene, and the firearm he used in this incident has not been recovered.
8. MNPd Identification Section responded to the area of the shooting and collected eight (8) Hornady .40 caliber Smith and Wesson shell casings. The location where the shell casings were recovered is consistent with where CALLOWAY is seen shooting on the MDHA video.
9. A review of CALLOWAY's criminal history reveals convictions from Davidson County, to include a conviction on July 17, 2014, for possession with intent to sell over .5 grams, Cocaine, a Class B felony, with a sentence of eight (8) years incarceration.
10. An ATF Firearms Interstate Nexus Expert was provided with a description of the cartridge casings recovered in this case. The ATF Firearms Interstate Nexus expert determined the cartridge casings are ammunition, as defined by 18 U.S.C. § 921(a)(17)(A), and that the ammunition was manufactured in the state of Tennessee; and, therefore, at some point in time, traveled in and affected interstate or foreign commerce.
11. All of the described events occurred in Nashville, Davidson County, located in the Middle District of Tennessee.
12. Based on the information contained herein, your affiant believes that probable cause exists to support the issuance of a criminal complaint for the arrest of Michael Calloway, Jr., a/k/a OSO for the offense stated herein.

Further affiant sayeth not.



Stephanie Haera
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn and subscribed to before me this 14th day of April, 2015.



JOHN S. BRYANT
U.S. Magistrate Judge



Attachment 1

